

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

1:11-cv-00044

PENNSYLVANIA NATIONAL )  
MUTUAL CASUALTY INSURANCE )  
COMPANY, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
CARRIAGE PARK ASSOCIATES, )  
LLC, CPA REALTY CORPORATION )  
and TANYA L. BANKS, TRUSTEE )  
OF THE TANYA LEE BANKS TRUST )  
 )  
Defendants. )  
\_\_\_\_\_ )

ORDER

This matter is before the Court upon the memorandum and recommendation of United States Magistrate Dennis L. Howell, filed August 4, 2011. The parties were advised that pursuant to 28 U.S.C. § 636(b)(1)(C), and Rule 72, Federal Rules of Civil Procedure, written objections to the memorandum and recommendation must be filed within 14 days after service of the memorandum. It appears to the Court that the parties have not filed any such objections. After an independent and thorough review of the magistrate's memorandum, the Court concludes that the recommendation to grant Defendants' Motion to Dismiss is correct and in accordance with law. Accordingly, the findings and conclusions of the magistrate are affirmed.

IT IS THEREFORE ORDERED that the memorandum and recommendation of the magistrate is hereby AFFIRMED.

Signed: September 28, 2011

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

